

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Continuation Patent Application Of:  
Richard James May

Mailed: July 24, 2003

For: DISPENSER AND PROCESS

) Prior Applications:  
) Application No. 09/970,970  
) Filed: October 4, 2001  
) Art Unit: 3751  
) Examiner: Le, Huyen D.  
) Application No. 09/459,704  
) Filed: December 13, 1999  
) now U.S. Patent No. 6,379,069



CONTINUATION PATENT APPLICATION  
TRANSMITTAL FILING UNDER 37 C.F.R. §1.53(b)

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation application of co-pending prior Application No. 09/970,970, which is a continuation of Application No. 09/459,704, now U.S. Patent No. 6,379,069, which is a continuation-in-part of Application No. 08/790,222, now abandoned, which was a continuation-in-part of Application No. 08/354,487, now abandoned, under 37 C.F.R. § 1.53(b). The parent application was filed on October 4, 2001 by Applicant Richard James May, and is similarly entitled "DISPENSER AND PROCESS."

**Benefit of Prior U.S. Applications**

The attached continuation application being transmitted claims the benefit of prior U.S. applications, as indicated below.

**Papers Enclosed**

In accordance with 37 C.F.R. § 1.63(d), the specification filed herewith contains no new matter. Accordingly, a copy of the executed Declaration and Power of Attorney from the parent application (U.S. Application No. 09/459,704) is submitted herewith.

The papers attached are as follows:

13 pages of Specification;  
2 pages of Claims;  
1 page of Abstract;  
6 sheets of Drawings containing Figures 1-13, 14a-14f, 15, 16;  
X copy of Declaration/Power of Attorney from parent application no. 09/459,704, 3 pages; and  
X copy of Assignment from parent application no. 09/459,704, 1 page.

### Incorporation by Reference

The entire disclosure of the prior applications, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

### Inventorship Statement

The inventorship for all the claims in this application is the same as that for the parent application.

### Fee Calculation (37 C.F.R. § 1.16)

Applicant claims small entity status. The filing fee has been calculated as shown below:

| For:  | No. Filed | No. Extra | Small Entity |       | or | Other Than A Small Entity |       |
|---|-----------|-----------|--------------|-------|----|---------------------------|-------|
|   |           |           | Rate         | Fee   |    | Rate                      | Fee   |
| Basic Fee   |           |           |              | \$375 | or |                           | \$750 |
| Total Claims  | 20 - 20 = | 0         | x 9 =        | \$ 0  | or | x 18 =                    | \$    |
| Indep. Claims   | 3 - 3 =   | 0         | x 42 =       | \$0   | or | x 84 =                    | \$    |
| <input type="checkbox"/> First Presentation of Multiple Dependent Claim |           |           | x 140 =      | \$0   | or | x 280 =                   | \$    |
|   |           |           | Total        | \$375 | or | Total                     | \$    |

X Check No. 17853 in the amount of \$375.00 is attached. The Commissioner is hereby authorized to credit any overpayment or charge any deficit to Deposit Account No. 23-0280.

### Relate Back--35 U.S.C. 120

As required under 35 U.S.C. 120, the Specification of the attached application has been amended to include the following specific reference to the earlier filed parent applications:

"This is a continuation application of co-pending U.S. Patent Application No. 09/970,970, filed October 4, 2001, which is a continuation of U.S. Patent Application No. 09/459,704, filed December 13, 1999, now U.S. Patent No. 6,379,069, which is a Continuation-in-Part of Patent Application Serial No.08/790,222 (now abandoned), filed February 3, 1997, which is a Continuation-in-Part of Patent Application Serial No. 08/354,487 (now abandoned), filed December 12, 1994, which Patent Applications are incorporated herein by reference."

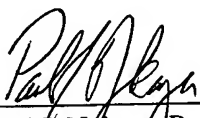
Attorney Docket No. 5505 P 008  
Title: "DISPENSER AND PROCESS"  
Inventor: Richard James May  
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Please address all future communications to:

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Wallenstein & Wagner, Ltd.  
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Respectfully submitted,

Date: July 24, 2003

By:   
Paul J. Nykaza, Reg. No. 38,984  
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312.554.3300  
Attorneys for Applicant


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**CERTIFICATION UNDER 37 C.F.R. § 1.10**

Express Mail Label No. EV 291497146 US

Date of Deposit: July 24, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Gillian Gardner/179646.1

**In re U. S. Continuation Patent Application**

Inventors: Richard James May  
Application No.: Unassigned  
Filing Date: July 24, 2003  
For: DISPENSER AND PROCESS  
Attorney Docket No. 5505 P 008

**Enclosures:**

1. CONTINUATION APPLICATION TRANSMITTAL, 3 PAGES, IN DUPLICATE
2. CHECK NO. 17853 FOR \$375.00
3. 16 PAGES OF APPLICATION (INCLUDING 13 PAGE SPECIFICATION, 20 TOTAL CLAIMS/3 INDEPENDENT (2 PAGES) AND 1 PAGE ABSTRACT)
4. 6 SHEETS OF DRAWINGS (FIGS. 1-13, 14a-f, 15, 16)
5. COPY OF EXECUTED DECLARATION/POWER OF ATTORNEY FROM PARENT APPLICATION NO. 09/459,704, 3 PAGES
6. COPY OF EXECUTED ASSIGNMENT FROM PARENT APPLICATION NO. 09/459,704, 1 PAGE
5. RETURN POSTCARD

I HEREBY CERTIFY THAT THIS PAPER AND THE ABOVE DOCUMENTS ARE BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS EXPRESS MAIL IN A POSTAGE-PAID ENVELOPE ADDRESSED TO MAIL STOP PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON JULY 24, 2003, UNDER EXPRESS MAIL NO. EV 291497146 US.

  
Gillian Gardner

**PLEASE ADDRESS ALL FUTURE COMMUNICATIONS TO:**

**Paul J. Nykaza, Esq.  
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